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SENSITIVE
SIPDIS

STATE FOR EAP/J AND CA/OCS -- MEENA KORFF
USDOC FOR NOAA/NMFS - CHERI MCCARTY

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TAGS: [EFIS](#) [CASC](#) [SENV](#) [JA](#)
SUBJECT: JAPAN ISSUES ARREST WARRANTS FOR AMERICAN AND
BRITISH ANTI-WHALING ACTIVISTS

¶1. (U) Tokyo Metropolitan Police obtained arrest warrants August 18 for two Americans, Jonathan Batchelor and Ralph Koo, and a British national, Daniel Bebawi, members of the anti-whaling NGO Sea Shepherd. The three are accused of "forcible obstruction of business" relating to their protests against Japan's research whaling fleet in the waters near Antarctica in February 2007, according to press reports and the Sea Shepherd website. The Japanese National Police will submit a request to the International Criminal Police Organization to issue Red Notices for the three suspects. Koo is accused of throwing 18 smoke markers at one of the Japanese whaling fleets sighting vessels, the "Keiko Maru," from a Sea Shepherd vessel on February 12, 2007. Batchelor and Bebawi are accused of throwing a mooring rope into the water near the "Kaiko Maru" to foul the ship's propeller.

¶2. (SBU) Japan will first pursue the three men through Interpol, but could seek extradition from the United States if necessary, according to MOFA Oceans and Fisheries Division Deputy Director. Neither FBI nor DOJ was consulted prior to the issuance of the arrest warrants. The NPA is well aware that the United States does not arrest individuals based solely on Interpol red notices, and that for U.S. officials to arrest these individuals based on the Japanese charges would require a request from Japan under the U.S.-Japan Extradition Treaty. In addition, issuing a press release, thereby very publicly notifying these individuals that they are wanted in Japan, indicates that the Japanese may not be serious about actually prosecuting these individuals in Japan. A contact within the Japan Ministry of Justice advised that this appeared to be more for political statement than any real law enforcement intent based on how it was handled by the Government of Japan.
SCHIEFFER